



## DEVELOPMENT SERVICES CENTER - PLANNING DIVISION

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### Filing Requirements For MINOR EXCEPTIONS

#### **PURPOSE**

The Minor Exception process is intended to allow property owner exceptions from certain requirements of the Zoning Ordinance where literal enforcement of the requirements would impose difficulties or undue hardship on the owner of the property. Applications for Minor Exceptions may include an increase in fence height, reduction of building setback, increase in maximum lot coverage, reduction of off-site or on-site parking requirements, and increase in building height. In order to approve a Minor Exception, the Community Development Department must make certain findings which are found in Chapter 18.56.150 of the Zoning Code.

#### **FILING REQUIREMENTS**

An application shall be made by the property owner or agent thereof and must be accompanied by the following information in order to be accepted for processing:

1. Uniform Application
2. **Two (2)** sets of submittal plans
  - All plans shall be drawn on uniform sheets no greater than 24" x 36" in size (or as approved by the Community Development Department)
  - All plans shall be stapled together along the left margin.
  - All plans shall be folded into 1/8 sections or folded a size not to exceed 9" x 12"
  - All plans shall be clear, legible and accurately scaled
  - Site Plan for subject property and adjacent properties within 100 feet - Scale: Engineering scale not to exceed 1" = 40". The following information shall be included on the plan:
    - Name, address and phone number of applicant, architect and/or engineer
    - Graphic scale and north arrow
    - Property lines and dimensions
    - Location of all existing and proposed structures
    - Location of driveways, parking areas, and loading zones as applicable
    - Dimension of all building setbacks
  - Elevation plans when applying for exception to setback, lot coverage or building height requirement
3. **Three (3)** sets of submittal plans reduced to 11" x 17" in size
4. **One (1)** cd containing submittal plans in pdf format
5. Additional plan sets may be required upon request
6. Contiguous property owners notification: (See example attached to the Uniform Application)
  - Typed list of all property owners adjacent to perimeter of the proposed project site (including Assessor's Parcel Numbers)
  - **One (1)** set of stamped, addressed, legal size envelopes (4 1/8" x 9 1/2") of all property owners from the list above

- Use forever stamps, **do not use postage meter**
  - Be sure to include Assessor's Parcel Number **above** owner's name
  - Do not put return address on envelopes
  - Mailing list affidavit (attached to Uniform Application)
7. Statement of Justification- Provide a written letter of justification outlining the request for a Minor Exception. The letter shall address the following information:
- State the code requirement that you cannot meet and explain the proposed Minor Exception that you are requesting.
  - Describe the special circumstances of this property (such as size, shape, topography or location) which deprive it of privileges enjoyed by other properties in the vicinity and under the identical zoning classification.
  - Give reasons why the Minor Exception for this property would not constitute a grant of special privileges of the owner, not enjoyed by his neighbor. Also explain how approving this Minor Exception would not be materially harmful to the public health, safety, welfare, properties or improvements in the vicinity.
  - Identify how the strict or literal interpretation and enforcement of the Zoning Ordinance would result in practical difficulty or unnecessary physical hardship which is inconsistent with the objectives of the General Plan and intent of the Zoning Ordinance.
  - The applicant has the burden of producing evidence to demonstrate that all standards are met, and the intent and purpose of the applicable regulations, goals and objectives of the General Plan will be satisfied. The letter of justification must include information the staff can review that supports the findings which need to be made in order to approve the Minor Exception. Failure to provide sufficient information may result in project delays and/or denial.
8. Current Title Report (maximum 6 months old) (not required for fence height minor exception requests)
9. Photographs of site are where the minor exception is being requested
10. Filing fees (see Fee Schedule attached to the Uniform Application)